

ORDINANCE NO. 16-07

ORDINANCE AMENDING THE ZONING ORDINANCES OF THE CITY OF KNOXVILLE, IOWA, 2009

BE IT ENACTED by the City Council of the City of Knoxville, Iowa:

SECTION 1. The definitions for arbors and covered areas, barbecues, outdoor fireplaces (permanent), gazebos, patio and storage utility shed in Title 9, Chapter 4, Section 4 Subsection A of the Code are deleted and the following adopted in lieu thereof:

Arbors and Covered Areas. Permanent, freestanding structures which are covered and may include walls or lattice work. All arbors require a building permit.

Barbecues and Outdoor Fireplaces (permanent). For purposes of this title, barbecues and outdoor fireplaces are permanent structures where cooking and recreation may occur which utilize a heated fire source. A building permit and all applicable electric, plumbing, and utility permits are required. Building permits are not required for nonpermanent or movable structures which do not require connections to utilities.

Gazebos. A freestanding structure with a roof that is usually open on the sides. All gazebos require a building permit.

Patio. A recreation area that adjoins a dwelling, is paved or covered with wood, tile or other material, and is adapted especially to outdoor dining. All patios require a building permit.

Storage/Utility Shed. A structure built, manufactured or formed for storage or shelter. Any shed which requires a utility connection also requires a building permit and necessary permits for electric, utility, or other. All sheds require a building permit.

SECTION 2. Title 9, Chapter 4, Section 4 (D) and Title 9 Chapter 4, Section 4 (F) of the Code of Ordinances of the City of Knoxville, Iowa are repealed and the following adopted in lieu thereof:

9-4-4(D) Rear Yards Adjacent to Alleys, How Computed. In computing the depth of a rear yard where rear opens on an alley, the yard is measured from the closest edge of the alley.

9-4-4(F) Front Yard, Exceptions. In areas where some lots are developed with a front yard that is less than the minimum required for the district by this title or where some lots have been developed with a front yard greater than required by this title, the following rule shall apply. Any new building or addition in front thereof shall not be closer to the street right of way than the average of the front yards of buildings within two hundred feet (200') measured from building to building, except as follows:

1. Buildings located entirely on the rear half of a lot shall not be counted.
2. No residential dwelling shall be required to have a front yard greater than seventy five feet (75') nor less than fifteen feet (15').
3. No commercial building shall be required to have a front yard greater than fifty feet (50') nor less than twenty feet (20') except within the C-4 central business district.
4. If no building exists on one side of a lot within two hundred feet (200') of the lot in question, the front yard shall comply with the zoning regulating the specific site.

SECTION 3. The Code of Ordinances of the City of Knoxville, Iowa, is amended by adding a new Section in Title 9, Chapter 4 entitled 'Storage Containers', which is hereby adopted to read as follows:

9-4-11 Storage Containers. Temporary storage containers, including, but not limited to storage box shipping containers, storage moving "pods", or any other similar portable storage containers, whether with or without wheels, and whether with or without a chassis, may only be placed upon a residential or commercial property for a period not to exceed fourteen (14) days in any consecutive twelve (12) month period. No more than one such temporary container can be placed on a property during any twelve (12) month period. This section shall not apply to pre-fabricated garden sheds or similar structures specifically designed and intended for use on properties for storage purposes and which comply with all City Ordinances applicable to detached accessory structures.

Temporary storage containers are allowed on industrial properties.

Any temporary storage container existing on any property in the City on January 1, 2017 shall either be removed from such property, or brought into compliance with the provisions of this section within sixty (60) days of January 1, 2017.

SECTION 4. REPEALER. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY CLAUSE. If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudicated invalid or unconstitutional.

SECTION 6. WHEN EFFECTIVE. This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED by the City Council this _____ day of _____, 2016, and APPROVED this
_____ day of _____, 2016.

Brian J. Hatch, MAYOR

ATTEST:

Heather Ussery, CITY CLERK